



# ADA TODAY



## Newsletter

Volume 3 Issue 9

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### HUD ISSUES NEW GUIDANCE TO ENCOURAGE PARTICIPATION IN STATE EFFORTS TO ASSIST INDIVIDUALS MOVING OUT OF INSTITUTIONS AND INTO HOUSING

The U.S. Department of Housing and Urban Development (HUD) today issued new guidance to HUD-assisted housing providers on how they can support state and local *Olmstead* efforts to increase the integrated housing opportunities for individuals with disabilities who are transitioning from, or at serious risk of entering, institutions and other restrictive, segregated settings.

*Olmstead* refers to the 1999 Supreme Court landmark decision, *Olmstead v. L.C.*, which affirmed that the unjustified segregation of individuals with disabilities is an illegal form of discrimination. Following the *Olmstead* decision, many states are working hard to assist individuals living in institutions and other segregated settings to move to integrated, community-based settings where they can receive the health care and long-term services and supports they need. Many of these efforts, though, are confounded by a lack of integrated and affordable housing options for persons with disabilities.

HUD's new guidance encourages public housing agencies and other HUD-assisted housing providers to consider the housing needs of their individual communities and their state and to partner with state and local governments to provide additional community-based, integrated housing opportunities. HUD's guidance is consistent with efforts across federal agencies and in many states to provide appropriate health care and related supportive services for individuals with disabilities in the most integrated setting appropriate to their needs.

"There is a tremendous need for affordable housing where individuals with disabilities are able to live and be part of the very fabric of their communities," said HUD Secretary Shaun Donovan. "HUD is committed to offering housing options that enable individuals with disabilities to live in the most integrated settings possible and to fully participate in community life."

The guidance announced today affirms HUD's commitment that individuals with disabilities, like all persons, should have meaningful choice and self-determination in housing and in the health care and related support services they receive. For this reason, HUD is exploring how it can fund additional integrated housing units scattered throughout communities and provide a greater range of meaningful housing choices for individuals with disabilities. HUD is also exploring how existing HUD-assisted housing can provide individuals with disabilities increased opportunities to exercise autonomy, independence, and self-determination in living arrangements that have the comforts and qualities of home. For full release: [Read HUD's new guidance](#).

## Local News and Information

### **DDOT Releases State Management Plan for Section 5310 Capital Assistance Program**

The District Department of Transportation (DDOT), through the U.S. Department of Transportation Federal Transit Administration's Section 5310 program, provides financial assistance to District-based organizations to purchase vehicles and wheelchair equipment to help meet the transportation needs of elderly persons and persons with disabilities when existing transportation services are unavailable to meet their needs. DDOT ensures that local applicants and project activities are eligible and in compliance with federal requirements.

DDOT prepared the District of Columbia's State Management Plan, Section 5310 Capital Assistance Program document to ensure that its administration of the Section 5310 program:

- is in compliance with the federal and the District of Columbia's regulations;
- provides administrative and programmatic guidance to grantees; and
- facilitates the accomplishment of federal and District goals.

A copy of the State Management Plan will be available for review at the Martin Luther King, Jr. Library at 901 G Street NW and at the DDOT's headquarters at 55 M Street SE, Suite 400. The plan can also be reviewed online at [www.ddot.dc.gov/5310](http://www.ddot.dc.gov/5310).

**There will be a 30 day comment period for the State Management Plan. Written comments should be submitted by Monday, July 8, 2013.** Please contact Circe Torruellas at [circe.torruellas@dc.gov](mailto:circe.torruellas@dc.gov) or 202-673-1736 with any comments or questions.

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**SERVE DC Grant Applications Available** Serve DC will award grants of up to \$5,000 to service projects that celebrate Make A Difference Day, October 26, 2013, and [National Disability Employment Awareness Month](#), October 2013. Sponsored by [USA Weekend Magazine](#) and the [HandsOn Network](#), Make A Difference Day is the nation's largest day of community service and an opportunity to celebrate the power of people to use their time, talent, voice and money to create change. National Disability Employment Awareness Month is a national campaign that raises awareness about disability employment issues and celebrates the many and varied contributions of America's workers with disabilities.

Grants will be awarded to District-based service projects focused on disability inclusion. Eligible applicants are local nonprofit organizations, public or charter schools, universities, community groups, faith-based organizations, state and local units of government, and public organizations. **Anyone applying for grant funds must attend a technical (TA) assistance session**, which will be held July 9 and July 23 from 5:30 p.m. to 6:30 p.m.

[Download the 2013 Make A Difference Day Notice of Funds Availability \(NOFA\)](#) or [contact Juan Thompson](#) to RSVP for a TA session or for further information.

### **State Plan for Vocational Rehabilitation Services**

Tuesday, June 18, 2013 ~ 1:00PM – 3:00PM

Washington Metropolitan Area Transit Authority (WMATA) ~600 5th Street NW ~ Washington, DC  
The State Plan for VR Services lays out the Rehabilitation Services Administration's plans for

providing vocational rehabilitation services to District residents in FY 2014. The Plan's main goals and initiatives are developed collaboratively by RSA and members of the State Rehabilitation Council (SRC).

### **State Plan for Independent Living**

Tuesday, June 25, 2013 ~ from 1:00PM – 3: 00PM

D.C. Department on Disability Services ~ 1125 15th Street NW, Room 1A ~ Washington, DC

The State Plan for Independent Living Services (SPIL) is developed jointly by RSA, the D.C. Statewide Independent Living Council, and the D.C. Center for Independent Living. The SPIL sets forth the plans, goals, and priorities for the provision of independent living services to District residents over the next three years.

Light refreshments will be provided at both sessions. For accommodations, please contact Cheryl Bolden (202-442-8411, [cheryl.bolden@dc.gov](mailto:cheryl.bolden@dc.gov)) .

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## **Federal News**

### **Supreme Court Refuses to Review Disability Discrimination Lawsuit against United Airlines**

The U.S. Supreme Court denied United Airlines' request to review a [disability discrimination](#) lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC). The EEOC had charged United with allegedly violating the [Americans with Disabilities Act](#) (ADA) by requiring workers with disabilities to compete for vacant positions, which usually resulted in job loss. The Seventh Circuit Court of Appeal's earlier ruling stood that under the ADA, employers must provide [reasonable accommodations](#) to employees with disabilities, which includes reassignment to open positions.

### **Federal Agencies Partner to Expand Mental Health Services for Veterans, Service Members & Families**

The U.S. Departments of Veterans Affairs (VA), Defense and Health and Human Services have released a [report](#) on their progress on initiatives in the [Executive Order](#) to Improve Access to Mental Health Services for Veterans, Service Members and Military Families. These federal departments have been working to increase the capacity of the [Veterans Crisis Line](#) by 50 percent; hiring more providers for VA [mental health services](#); and implementing a suicide prevention campaign.

### **Labor Department Announces Theme for National Disability Employment Awareness Month (NDEAM) 2013**

The U.S. Department of Labor's [Office of Disability Employment Policy](#) (ODEP) has announced that the theme for this October's NDEAM will be "Because We Are EQUAL to the Task". The theme reflects the fact that people with disabilities indeed have the education, training, experience and desire to succeed in the workplace. This year's theme also ties in with ODEP's [Campaign for Disability Employment](#) to promote employment success for people with disabilities.

### **Study Finds Average Rent Cost Higher Than Entire Monthly SSI Payment of Many with Disabilities**

The Technical Assistance Collaborative and the Consortium for Citizens with Disabilities have released a study, ["Priced Out in 2012,"](#) which finds that the national average rent for a reasonably priced one-bedroom apartment is more than the entire Supplemental Security Income (SSI) benefit of a person with a disability. The study shows that people with disabilities receiving SSI need to pay 104 percent of their income to rent a one-bedroom apartment.

**New CDC Report Finds One Out of Five Children Experience a Mental Disorder** A new report from the Centers for Disease Control and Prevention, "[Mental Health Surveillance Among Children—United States, 2005–2011](#)", for the first time describes public efforts on monitoring children ages 3-17 who have specific mental disorders. The report finds that 13-20 percent of children living in the United States (up to one out of five children) experience a mental disorder in a given year with an estimated \$247 billion spent on treatment.

**FCC Adopts Rules to Help Consumers During Transition to Text-to-911** The Federal Communications Commission (FCC) has released a [Report and Order](#) requiring wireless carriers and providers of interconnected text messaging to send a "bounce back" message to consumers who try to text 911 where text-to-911 is not available. The new requirement will help consumers who text 911 whether or not the 911 authorities received the text message. The bounce-back messaging capability will be implemented by **June 13, 2013**.

**Board of Education Settles Lawsuit for Firing Employee Caring for Sick Parent** The Putnam County Board of Education in Winfield, WV has agreed to settle a lawsuit for allegedly violating the [Family and Medical Leave Act](#) (FMLA). The school board fired an employee who had requested time off to care for a parent with a serious health condition. The board has since agreed to comply with the FMLA.

**Justice Department Reaches Settlement with Airport Shuttle Company for Forcing Blind Passenger with Service Animal to Ride in Separate Van** The U.S. Department of Justice has reached a [settlement agreement](#) with SuperShuttle to resolve a complaint that the company discriminated against an individual who is blind. The Arizona-based company violated the [Americans with Disabilities Act](#) (ADA) by forcing a blind individual who uses a service animal to ride in a separate van and charging a higher fare. SuperShuttle has agreed to train its staff on the ADA.

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*For Information about ODR's Newsletter call [202-724-5055](tel:202-724-5055) or visit the web at [odr.dc.gov](http://odr.dc.gov).*



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#### **MISSION STATEMENT**

The mission of the District Office of Disability Rights (ODR) is to ensure that the programs, services, benefits, activities and facilities operated or funded by the District of Columbia are fully accessible to, and useable by people with disabilities. ODR is committed to inclusion, community-based services, and self-determination for people with disabilities. ODR is responsible for overseeing the implementation of the City's obligations under the Americans with Disabilities Act (ADA) as well as other disability rights laws.